



## Department of Energy

Oak Ridge Operations Office  
P.O. Box 2001  
Oak Ridge, Tennessee 37831—

July 18, 2003

Multiple Addresses

**NATIONAL HISTORIC PRESERVATION ACT, SECTION 106 COMPLIANCE –  
FINAL MEMORANDUM OF AGREEMENT FOR THE DECONTAMINATION  
AND DECOMMISSIONING OF BUILDINGS K-25 AND K-27 LOCATED AT  
THE EAST TENNESSEE TECHNOLOGY PARK**

Enclosed for your information is the fully ratified Memorandum of Agreement (MOA) for the Decontamination and Decommissioning of Buildings K-25 and K-27 located at the East Tennessee Technology Park (ETTP). This MOA has been developed through consideration of comments provided by the consulting parties during several meetings over the previous two years. All written comments received from the consulting parties have been considered in preparation of this MOA. The MOA was approved by the Advisory Council on Historic Preservation on July 17, 2003.

If you have any questions or need additional information, please telephone me at 865-576-0273.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary S. Hartman", is written over the typed name. The signature is fluid and cursive.

Gary S. Hartman  
DOE ORO Cultural Resources  
Management Coordinator

Enclosure

cc w/enclosures:

Skip Gosling, Chief Historian, DOE HQ  
Steve McCracken, EM-90, ORO  
Donna Perez, EM-911, ORO  
Bill Cahill, EM-911, ORO  
Wendy Cain, EM-911, ORO

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Multiple Addresses:

Dr. Thomas McCulloch  
Advisory Council on Historic Preservation  
1100 Pennsylvania Avenue NW  
Suite 809  
Washington, DC 20004

Dr. Joseph Y. Garrison  
Tennessee Historical Commission  
Tennessee Department of Environment and Conservation  
2941 Lebanon Road  
Nashville, TN 37243-0442

Dr. Amy S. Fitzgerald  
City of Oak Ridge  
P.O. Box 1  
Oak Ridge, TN 37831-0001

Mr. Lloyd Stokes  
Oak Ridge Heritage and Preservation Association  
131 Orchard Lane  
Oak Ridge, TN 37830

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cc w/enclosures: (continued)

Bob Poe, SE-30, ORO

David Allen, SE-30-1, ORO

Nancy Carnes, CC-10, ORO

Walter Perry, M-4, ORO

Sheila Thornton, SE-30-1, PrSM

John Owsley, TDEC/DOE-O

Angel Perkey, TDEC DOE-O

Connie Jones, U.S. EPA Region 4

Susan Gawarecki, ORR Local Oversight Committee

David Mosby/Norman Mulvenon, Oak Ridge Site Specific Advisory Board

Cindy Kelly, Atomic Heritage Foundation

Jim Comish, American Museum of Science and Energy

Kaye Johnson, 4500N, MS 6208, ORNL

William J. Wilcox, Jr., 412 New York Avenue, Oak Ridge, TN 37830

Joe Valentino, OR Convention & Visitors Bureau

Erich Evered, BJC, K-1225, MS 7294, ETPP

Bill Biloski, BJC, K-1580, MS 7169, ETPP

Gary Person, BJC, K-601, MS 7302, ETPP

Steve Goodpasture, CDM, Bldg. K-1002, MS 7240, ETPP

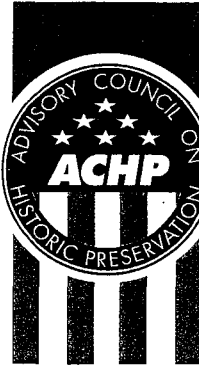
Jennifer Dixon, Bldg. 9116, MS 8098, Y-12

James Hall, Bldg. 4500N, MS 6185, ORNL

Mick Wiest, Bldg. 9116, MS 8098, Y-12

EC Document Center, K-1002 MS 7240, ETPP

DOE/ORO Public Reading Room, Building 1916-T2



JUL 17 2003

Mr. Gary S. Hartman  
Cultural Resources Management Coordinator  
Oak Ridge Operations Office  
Department of Energy  
P.O. Box 2001  
Oak Ridge, TN 37831

REF: Memorandum of Agreement for Decontamination and Decommissioning of Buildings K-25 and K-27, East Tennessee Technology Park

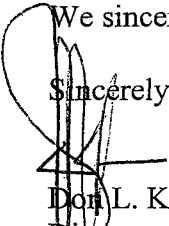
Dear Mr. Hartman:

Enclosed is your copy of the executed Memorandum of Agreement for the referenced project and two signature pages. By carrying out the terms of the Agreement, the Department of Energy will have fulfilled its responsibilities under Section 106 of the National Historic Preservation Act and the Council's regulations. Please forward a copy of the executed Agreement to the Tennessee State Historic Preservation Officer.

As you know, one of the key issues that the consulting parties have wrestled with is how to convey the sheer size and internal complexity of the K-25 facility to the public after the structure is decommissioned. We believe DOE should make a special effort to work with the consultant or firm(s) selected under the provisions of this Memorandum of Agreement to ensure that these important characteristics of the facility are preserved and conveyed to future generations.

We sincerely appreciate your cooperation in reaching this Agreement.

Sincerely,

  
Don L. Klima  
Director  
Office of Federal Agency Programs

Enclosure

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 809 • Washington, DC 20004  
Phone: 202-606-8503 • Fax: 202-606-8647 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)

**MEMORANDUM OF AGREEMENT  
AMONG THE U.S. DEPARTMENT OF ENERGY  
OAK RIDGE OPERATIONS OFFICE, THE  
TENNESSEE STATE HISTORIC PRESERVATION OFFICE, AND  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,  
PURSUANT TO  
36 CFR PART 800.6(b)(2)  
REGARDING THE  
DECONTAMINATION AND DECOMMISSIONING OF BUILDINGS  
K-25 AND K-27 LOCATED AT THE  
EAST TENNESSEE TECHNOLOGY PARK (ETTP)  
(Formerly K-25 Site)  
ON THE OAK RIDGE RESERVATION, ROANE COUNTY, TENNESSEE**

WHEREAS the U.S. Department of Energy, Oak Ridge Operations (DOE ORO), proposes to decontaminate, decommission, and demolish Buildings K-25 and K-27 and associated appurtenances located at the East Tennessee Technology Park (ETTP), formerly known as the K-25 Site; and

WHEREAS decontamination, decommissioning, and demolition of these two facilities and associated appurtenances at the ETTP, which is the subject of this Memorandum of Agreement (MOA), is as described in the document entitled, Project Summary Section 106 Archaeological and Historical Review (AHR) for the Decontamination and Decommissioning of Buildings K-25 and K-27 Located at the East Tennessee Technology Park, Oak Ridge Reservation, Roane County, Tennessee. The K-25/27 D&D Project is organized into three phases: Phase I of the project, currently underway, is focused on Hazardous Materials Abatement (characterization and removal of asbestos and other hazardous materials); Phase II is focused on Process Equipment Removal (characterization and removal of equipment within the buildings); and Phase III addresses actual building structure demolition. For purposes of this MOA, demolition is defined as removal of the building structures down to the concrete foundation; and

WHEREAS, in consultation with the Tennessee State Historic Preservation Office (SHPO), DOE ORO has established the area of potential effect of the undertaking as defined at 36 CFR 800.16(d) to be all lands and properties located within the boundary of the K-25 Site Main Plant Historic District and the interior and exterior of Buildings K-25 and K-27; and

WHEREAS DOE ORO has determined that the decontamination, decommissioning, and demolition of these two facilities at the ETTP will have an adverse effect on the historical character of these structures as well as on the K-25 Site Main Plant Historic District, and has consulted with the Advisory Council on Historic Preservation (Council) and the Tennessee SHPO pursuant to 36 CFR Part 800 regulations implementing Section 106 of the National Historic Preservation Act (U.S.C. Part 470f); and

WHEREAS the term "consulting parties to this MOA" pursuant to 36 CFR Part 800.6(c)(3) means DOE ORO, the Tennessee SHPO, the Advisory Council, City of Oak Ridge, Oak Ridge Heritage and Preservation Association, the Oak Ridge Reservation Local Oversight Committee, and the Oak Ridge Site-Specific Advisory Board; signatory parties to this MOA are DOE ORO, DOE Federal Preservation Officer, the Tennessee SHPO, and the Advisory Council, each of which has authority under 36 CFR 800.7(a) to terminate the consultation process; concurring parties include the City of Oak Ridge and the Oak Ridge Heritage and Preservation Association; and

WHEREAS DOE ORO pursuant to 36 CFR 800.4(c) and in consultation with the State Historic Preservation Officer (SHPO) has reassessed National Register of Historic Places eligibility for Buildings K-25 and K-27, and has determined that Buildings K-25 and K-27 and associated appurtenances are eligible for inclusion in the National Register of Historic Places (National Register); and

WHEREAS DOE ORO continues to consult with the SHPO, the ACHP, and other Consulting Parties in accordance with Section 106 of the National Historic Preservation Act (NHPA), 16 U.S.C. § 470, and its implementing regulations (36 CFR Part 800) to resolve any adverse effects of the Decontamination and Decommissioning of Buildings K-25 and K-27 at the ETTP; and

WHEREAS in 1998 DOE formally designated the K-25 Gaseous Diffusion Process Building as one of its eight Manhattan Project "Signature Facilities", meaning that it is one of their Nationally significant historic properties that best convey and interpret the scale and importance of the Manhattan Project, and provide the core for the Department's ability to successfully interpret its Manhattan Project mission of developing atomic bombs during World War II; and

WHEREAS the K-25 Gaseous Diffusion Process Building is one of the eight Manhattan Project Signature Facilities and therefore of National and complex-wide significance, the DOE Federal Preservation Officer (FPO) is a signatory party to this agreement; and

WHEREAS in 2000 DOE commissioned a study from the Council entitled "Recommendations and Preservation Options for Manhattan Project Signature Facilities at Oak Ridge and Hanford Reservations". This study by a panel of experts provided options to DOE management for preserving and conveying the significance of the K-25 facility. Its recommendations are specifically addressed below, and the present Secretary of Energy Spencer Abraham stated in writing that this study's "recommendations...will be incorporated into the analysis of potential preservation options for these properties as the Department develops strategies for appropriately commemorating the Manhattan Project"; and

WHEREAS DOE ORO intends to use the provision of this MOA to address applicable requirements of Section 110(b) of NHPA, 16 U.S.C. § 470h-2(b); and

WHEREAS DOE ORO has coordinated an on-site evaluation of the K-25 Building with representatives of various Consulting Parties and has identified and tagged potentially historical significant items in the building that will be retained until a decision is reached by the consulting parties as to which items should be preserved; and

WHEREAS DOE currently owns the American Museum of Science and Energy (AMSE) but may transfer ownership of the facility in the future, DOE shall, in the event of such a transfer, offer the subsequent owner the opportunity to become an invited signatory to the MOA, and further shall offer such subsequent owner the right of first refusal to historic artifacts recovered from the K-25 building, with the exception of equipment and artifacts which DOE wishes to retain and interpret at the former K-25 Site.

NOW, THEREFORE, DOE ORO, the SHPO, and the Council agree upon execution of this MOA and upon the decision by DOE ORO, to proceed with decontamination, decommissioning, and demolition of Buildings K-25 and K-27 at the ETTP; DOE ORO shall ensure that the following stipulations shall be implemented in order to take into account the effects of the undertaking on these historic properties.

#### STIPULATIONS

DOE ORO shall ensure the following measures are carried out:

1. An architectural firm, museum, or educational consultant or consulting firm with demonstrated experience in designs for commemoration, preservation, and public interpretation of historic facilities and scientific and technological processes, both in situ and in a museum setting, and capable of evaluating the potential for heritage tourism in accordance with Executive Order 13287 ("Preserve America", dated March 3, 2003) shall be contracted to provide options and proposals

for capturing and presenting the historical significance of the K-25 and K-27 facilities in their World War II "Manhattan Project" and Cold War contexts. The Statement of Work (SOW) for the commemoration, preservation, and public interpretation options study shall be coordinated with the Tennessee SHPO, the DOE FPO, and the Advisory Council before the SOW goes out for bid. The consultant or consulting firm selected shall examine preservation and interpretation options and provide a list of recommended actions within a time period as stated in the consultant or consulting firm's contract (which will not exceed \$75,000). In preparing the study, the following elements should be considered:

- a) DOE ORO is committed to selecting and salvaging those portions of the "Roosevelt Cell" and associated equipment that are necessary to illustrate and convey the gaseous diffusion process at K-25. DOE will preserve the Roosevelt Cell and associated equipment for possible future display and interpretation, whether in situ or in a museum setting, pending resolution of security and contamination issues.
  - b) The potential and need for retention/reuse of a portion of the historic scientific and technological facilities for use in site interpretation after decontamination and decommissioning should be evaluated.
  - c) Evaluation of the potential impact on heritage tourism, both positive and negative, for all options and proposals.
2. Following completion of the consultant or consulting firm's study, DOE ORO with participation of all consulting parties to this MOA and the DOE FPO shall identify prior to initiation of Phase III (demolition) the best and most cost-effective mitigation to permanently commemorate, interpret, and preserve the significance of these two historic scientific and technological facilities. Mitigation shall include thorough documentation of all unclassified interior and exterior features of the buildings prior to demolition or removal, including, but not limited to, virtual 360-degree photographic documentation sufficient to portray the size and scale of the facility (e.g., iPix-type bubble-photography); a plan for the interpretation of the site after demolition; deposition of a complete set of all unclassified architectural and engineering plans and specifications [drawings] for the two buildings; and collaboration with local historical preservation groups and the AMSE to adequately portray the role of these two historic scientific and technological facilities in the Manhattan Project within local exhibits).
3. DOE shall seek funding to implement the agreed upon measures. While consulting parties and/or other sources will be solicited to provide funding for mitigation, the responsibility to carry out the terms of this agreement are DOE's alone, subject to the availability of appropriated funds for environmental cleanup at ETPP, and are not dependent on any outside funding.
4. DOE ORO, in consultation with the DOE FPO, the Tennessee SHPO, and the Council, shall develop an oral history program to review and compile existing information and, as necessary, develop and capture the history of the K-25 site and its role in the Manhattan Project. DOE ORO shall attempt to partner with local academic institutions and historical groups in conducting oral history interviews with former K-25 workers and other relevant local individuals. DOE ORO shall work with the DOE FPO in determining how best to capture the oral reminiscences of policymakers at the national level. Depending on the agreed mitigation strategy in Stipulation 2 above, the new or revised oral histories shall be incorporated into written and audio-visual treatments that are designed to preserve the memory and significance of the K-25 facility, including alternatives to capture the immensity of the site and the accelerated construction time.
5. DOE acknowledges that it has instituted a program of accelerated cleanup for the remainder of the ETPP site. That undertaking shall adversely affect other historic properties that are contributing buildings within the K-25 Main Plant Historic District. DOE, in consultation with the Tennessee

SHPO and other Consulting Parties shall develop an agreement document that resolves adverse effect upon these additional historic properties.

6. DOE ORO shall develop a strategic plan, in conjunction with DOE Headquarters, to design, fund, and implement a process to commemorate DOE Oak Ridge Reservation Manhattan Project Signature Facilities.
7. Section 110 (b) Documentation
  - a. A Project Summary including a map showing the location of the two facilities to be decontaminated and decommissioned at the ETTP shall be provided to the SHPO and retained in the files of the DOE ORO.
  - b. Full sets of black-and-white, 35-mm photographs in 5"x 7" format, appropriately labeled, documenting the design and current conditions and surrounding landscapes around Buildings K-25 and K-27 shall be provided to the SHPO and shall be retained in the files of the DOE ORO. These photographs shall be provided for view to any interested person demonstrating a research interest in such structures.
  - c. Structural and architectural drawings and specifications (original documentation when available) documenting the general layout of these facilities shall be provided to the consulting parties, and copies shall be retained in the files of the DOE ORO. This information shall be provided for view to any interested person demonstrating a research interest in such structures and architectural drawings.
  - d. Supporting documentation to decontaminate and decommission the K-25 and K-27 process buildings as identified in Appendix B of BJC/OR-897, Summary of Information on Decontamination and Decommissioning of the K-25 and K-27 Buildings Located at the East Tennessee Technology Park, Oak Ridge, Tennessee, shall be retained in the files of the DOE ORO.
8. Resolving Objections
  - a. Once the operational phase of this project has begun, should the SHPO or the Advisory Council object to activities relative to this project and pursuant to this MOA, the DOE ORO shall consult with the objecting signatory party to resolve the objection. All actions or facilities under this MOA that are not the subject of the objection shall remain unchanged.
  - b. If DOE ORO determines that the objection cannot be resolved, DOE ORO shall forward all documentation relevant to the dispute to the Advisory Council. Within 30 days of receipt of this documentation, the Advisory Council will either
    - i. Provide DOE ORO with recommendations which DOE ORO will take into account when reaching a final decision regarding the dispute; or
    - ii. Notify DOE ORO that it will comment pursuant to 36 CFR 800.7(c), and proceed to comment. Any such comment will be taken into account by DOE ORO in accordance with 36 CFR 800.7(c)(4) when reaching a final decision regarding the dispute.
  - c. Should the Advisory Council not exercise one of the above options within 30 days after receipt of all pertinent documentation, DOE ORO may assume the Advisory Council's concurrence in its proposed response to the objection.



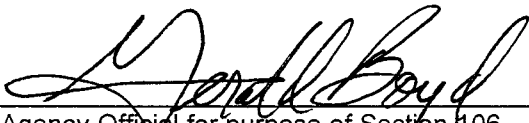
## 9. Administrative Stipulations

- a. Alterations to Project Documents. DOE ORO shall not alter any plan, scope of service, or other document that has been reviewed and commented on pursuant to this MOA, except to finalize the documents commented on in the draft, without first affording the SHPO and the Advisory Council the opportunity to review the proposed change(s) and determine whether it shall require this MOA to be amended. If either of the above parties determine that an amendment is needed, the parties of the MOA shall consult in accordance with 36 CFR 800.6(c)(7) to consider such an amendment. All consulting parties shall be afforded the opportunity to review, comment, and participate in the MOA amendment process.
- b. Amendments. Either of the other signatory parties to this MOA may propose to DOE ORO that the MOA be amended, whereupon DOE ORO shall consult with all other parties to this MOA to consider such an amendment; 36 CFR 800.6(c)(7) shall govern the execution of any such amendment.
- c. Termination.
  - i. If DOE ORO determines that it cannot implement the terms of this MOA, or either of the other signatory parties determines the MOA is not being properly implemented, the objecting party may propose to the other parties to this MOA that it be terminated.
  - ii. The party proposing to terminate this MOA shall notify all consulting parties to this MOA explaining the reasons for termination and affording them at least 30 days to consult and seek alternatives to termination.

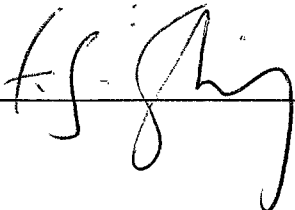
Should such consultation fail and the MOA be terminated, DOE ORO shall either consult in accordance with 36 CFR 800.6(a) to develop a new MOA or request the comments of the Council pursuant to 36 CFR 800.7(c).

Execution of this MOA by the DOE ORO and the other signatory parties and implementation of its terms serve as evidence that DOE ORO has afforded the SHPO and the other consulting parties an opportunity to comment on the Decontamination and Decommissioning of Buildings K-25 and K-27 at the ETTP in which both of the facilities are eligible for inclusion in the National Register and that DOE has taken into account the effects of this project on these historic properties.

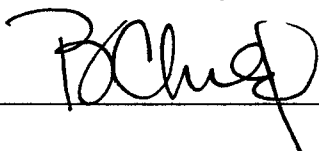
DEPARTMENT OF ENERGY

By:  Date: 4/24/03  
Agency Official for purpose of Section 106

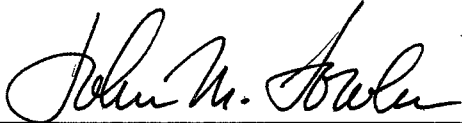
DOE FEDERAL PRESERVATION OFFICER

By:  Date: 5/13/03

TENNESSEE STATE HISTORIC PRESERVATION OFFICER


By:  Date: 4/27/03

ADVISORY COUNCIL ON HISTORIC PRESERVATION


By:  Date: 7/17/03

CONCUR:

CITY OF OAK RIDGE

By:  Date: 5-19-03

OAK RIDGE HERITAGE AND PRESERVATION ASSOCIATION

By:  Date: 5/4/03